

III.

CONFIRMATION OF RIGHTS NOT PROTESTED

The State Engineer has published the Proposed Determination of Water Rights for Parowan Valley Division of the above entitled general adjudication proceedings in three books; and copies of said Proposed Determination having heretofore been served on those water users having water rights in said Division and a copy filed with this court pursuant to the provisions of Section 73-4-11, Utah Code Annotated, 1953,

NOW, THEREFORE, IT IS ORDERED that the stipulations set forth above between the State Engineer and the affected parties in "Decided Issues" are hereby approved and the Proposed Determination amended accordingly;

IT IS FURTHER ORDERED the Proposed Determination of Water Rights for the Parowan Valley Division as amended is approved and the individual water rights contained in said Determination are hereby decreed to be valid existing water rights and are approved and confirmed as set forth in said Determination; those rights set forth in the "Issues to be Tried" section of this Pre-Trial Order are excepted from the foregoing approval and confirmation to the extent that they are the subject matter of an individual protest; this order is also subject to those changes in ownership and approved change applications on any rights in said Determination which have occurred since the Determination was published by the State Engineer; the court further reserves the right to correct typographical errors which may have occurred in the preparation of said Determination;

IT IS FURTHER ORDERED that the protests submitted by the following parties are dismissed:

Elaine S. Adams
Buckhorn Development Company
Carl T. Evans
Golden Sands Development Company
John Gaylen and Ellen M. Bayles, except as provided for in paragraph II6 above.

IV.

ISSUES TO BE TRIED

1. HERMAN E. BAYLES ESTATE

Protestant claims that the irrigation season should be extended an additional month from October 31 to November 30. It is the protestant's contention that he is able to beneficially use the water during this additional period. The State Engineer contends that in most years no beneficial use of